

## BEING AT STILL CRIME UNDER LAW

COURT OF APPEALS SUSTAINS  
LOWER TRIBUNAL.

No Opinion Given After Hearing of  
Unusual Richland County  
Case.

The State.  
Asheville, Aug. 2.—In an opinion handed down by the United States circuit court of appeals here today, the district judge of Western North Carolina is affirmed and the sentences of Gus Barton and Leo Barton, plaintiffs in error, must be executed.

The two men were convicted in the district court on charges of violating the national prohibition laws, when, it is alleged, they were found in the vicinity of a still during a raid made by revenue officers.

In his charge to the jury the district judge stated that their presence at the still was prima facie evidence and demanded some explanation. The convicted men then gave notice of appeal and the case was sent up from Greenville. In the opinion, written by United States District Judge Henry A. M. Smith of Charleston, S. C., who was sitting with Circuit Judges Martin A. Hugo of Washington, D. C., and Charles A. Woods of Marion, S. C., the court affirms in the closing paragraphs:

"In the instant case the learned judge merely instructed the jury that the presence of the party charged at an illicit distillery 'as a conspicuous circumstance, and when one is so found present it becomes incumbent upon him to give some explanation of his presence there. Under the circumstances of the instant case we do not find that the charge is a violation of the law, but on the contrary, was fully authorized. Affirmed.'"

P. A. Bonham of Bonham & Price appeared for the plaintiffs, while the government was represented by United States District Attorney William Thurmond and Assistant United States Attorney C. G. Wyche.

No opinion was handed down today following the hearing of the case of S. M. Rogers and E. M. Rogers, petitioner appellants vs. H. W. Desportes, county jailer for Richland county, and James L. Sims, United States marshal for the Eastern district of South Carolina, respondents, appealed from the district court of the United States for the Eastern district of South Carolina at Charleston, in which the power of a United States judge to sentence defendants to the United States penitentiaries for less than a year and a day was tested.

Cole L. Blease and C. T. Graydon appeared for the Rogers', while the United States was represented by Francis H. Weston of Columbia, United States district attorney for the eastern South Carolina district.

## KEEPER OF STORE KILLED BY ROBBER

Charleston Groceryman Dies From  
Blows on Head.

The State.

Charleston, Aug. 2.—A dastardly murder, followed by robbery, occurred early this morning in a grocery store at America and Reid streets, where John H. Schroder, the proprietor, was found by a customer about 8 o'clock lying on the floor with his skull crushed. Several hundred dollars was missing, and a hammer nearby was the weapon used, it is believed, to strike him down. His assailant escaped. Mr. Schroder was still living when discovered and was hurried to Roper hospital. He died there a half hour later. His custom was to keep considerable cash on hand, not dealing much with banks, and every Monday morning at the store he paid out several hundred dollars to collectors for wholesale houses with whom he dealt. The police are working on the theory that some one familiar with this custom perpetrated the murder and robbery. Mr. Schroder was about 50 years of age and is survived by his widow. He came to Charleston from Walhalla 25 years ago, and relatives there survive him. He was a nephew of J. D. Cappelmann of this city and was highly respected in this community.

## NEGRO LYNCHED BY THOUSAND MEN

Taken From Jail at Center,  
Texas.

Center Texas, Aug. 2.—Lige Daniels, a negro, charged with the murder of Mrs. Maggie Hall, a white woman, was taken from the county jail here late today by a mob of over 1,000 men and lynched for a time in the court house yard. The mob wrecked the steel cell to get at the negro.

The lynching followed announcement by officers of a full confession made to the grand jury, now in session, and also to the district attorney, it was said. Unconscious, with her skull crushed and her body bruised and lacerated, Mrs. Hall, who was the wife of a well known farmer living near Center, was found at a lonely spot last Thursday night. She was brought here for medical attention, but died Friday.

Capt. W. A. Bridges, commanding Company I, Seventh cavalry, received wire instructions from Austin to protect the negro and prevent the lynching, but he was unable to find any of the members of his company in time for mobilization.

The crowd dispersed after the lynching and the town resumed its normal appearance.

## Ancient History Revised.

First Patron (in barber shop)—If Delilah of Samson and Delilah fame were to come back she'd make a fortune these days, wouldn't she?

Second Patron—In what respect?

First Patron—Wasn't she the first lady barber?

## ENJOYS FINE BARBECUE WITH MR. WILL CHALMERS

Mr. Chalmers Gives Free Barbecue  
for His Negroes and Invites  
Friends—Roads and Crops.

Editor The Herald and News:  
If you will allow me space I will give an account of another one of our recent trips.

Our boy, Clyde, who handles the wheel and carries his father around, was on the job again last Friday. Yes, while a great many people from the four corners of the county were on their way to the barbecue at Young's Grove and Edwin Halfacre's last Friday morning the old man felt honored in accepting an invitation from his nephew, Wilbur Epps, to attend a free barbecue given by Mr. McI Chalmers and himself at the home of Mr. Chalmers about three miles above Jalapa. It seems to be somewhat customary for the farmers in the upper part of the county to give their negroes a free cue after the crops have been laid by. So this cue was only for their hands and a few scattering friends.

We had just a little car trouble but we stepped in Newberry and had this attended to so it was about 11:30 when we drove up to Mr. Chalmers.

Mr. Chalmers met us with just such a welcome as makes a fellow feel good. And then came Wilbur with his big smile that is natural with him.

As we walked up to the pit and hash pot to view the situation which was one of the most important objects just at that time there we found Sammie Shealy, who is one of the best cooks in the county, putting the finishing touch on the meat and Ex-Sheriff W. W. Riser was flavoring the hash and Carr Buford was sitting around cracking his usual line of jokes. Then Wilbur came around with a sample of hash to get his old uncle's opinion of what else it needed and he replied, "Nothing but a little time."

It was about 1 o'clock when the announcement was made for the white people to surround the table under the large oaks in the yard which is a delightful repose during the hot summer days. And as the saying goes, "The best way to prove the pudding is the chewing of the sack." It didn't take long to find out whether Sam Shealy knew how to cook a barbecue dinner or not.

There were about 50 white, large and small, around the table who all seemed to enjoy the hash, kid and pork to their appetite's content.

After the whites finished the table was arranged for the negroes and they in number were about equal to the whites.

Dr. Mayes and Col. C. J. Purcell and entire family were present and number of others whom I can't call to mind just now. Col. Purcell has a large farming interest in this section of the county and you may call him a "Bull or a Bear," but he stands hand in hand with the farmer to establish a better system for the marketing of our cotton.

My two old friends Carr Buford and Ex-Sheriff Riser invited me to go up and spend the night with them, but owing to circumstances I had to come on back to old No. 10.

As we were coming back we stopped to take a view of St. James' new Lutheran church. It seems that the work is progressing right along. The building is weather boarded and covered and when the finishing touch is put on it is going to show up equal to any modern country church.

Well, Mr. Editor, it belongs to a write up of this kind I believe to give an account of the roads and crops. Under the present system of road working we had just as well stop complaining. The election on the 24th to vote on the bond indebtedness of \$400,000 for permanent road building is going to be voted down. I think our tax payers understand well enough that it is no use to appropriate money to build roads until we get the right kind of a system to handle it. If the chain gang isn't costing the county double price for the amount of work it does I would be glad if some one would prove in figures otherwise.

Now a word about the crops. In my little travel over the county the crops seem to be suffering for rain worse between Newberry and Jalapa than any other section I have seen. In fact the crops as a whole are suffering to a considerable extent at this time, August 3. If it doesn't come a general rain within the next week it will be no use to be alarmed at the coming of the boll weevil for may be in sight any way.

Before closing I want to thank Messrs. Chalmers and Epps for the fine dinner and hospitality shown us. Mrs. W. and granddaughter, Rosine, were also with us.

And may the Lord send the blessed rain soon to refresh our wilted and suffering crops. Also we hope to see a better system of road working in the sweet bye and bye.

August 3. T. J. W.

## PREDICT INCREASE FOR COTTON CROP

Good Growing Weather During July  
Responsible for Great Im-  
provement.

Washington, Aug. 2.—Increase of more than 1,000,000 bales in the prospective production of cotton over the indicated yield a month ago was forecast today by the department of Agriculture. A total of 2,159,000 bales was estimated from the condition of the crop July 25, while 11,450,000 bales was forecast from the condition of June 25.

A production of 11,450,000 bales was forecast from the condition June 25, which was 70.7. Production last year was 11,329,755 bales and the condition of July 25 a year ago was 67.1. The ten year average condition on July 25 is 75.6 per cent.

Condition of the crop by states on July 25 was: Virginia 74, North Carolina 77, South Carolina 77, Georgia 66, Florida 64, Alabama 67, Mississippi 71, Louisiana 71, Texas 74, Arkansas 75, Tennessee 70, Missouri 81, Oklahoma 85, California 85, Arizona 85. All other states 65.

Good growing weather during July caused much improvement in the prospects of the crop, the condition having advanced from 70.7 per cent. of a normal on June 25 to 74.1 per cent. on July 25. The crop condition is 7 points higher than it was a year ago and a little more than a point below the ten year July 25 average.

## NOTICE OF FINAL SETTLEMENT.

I will make a final settlement of the estate of Jessie M. Wallace in the probate court for Newberry county, South Carolina, on Friday the 27th day of August, 1920, at 10 o'clock in the forenoon and will immediately thereafter ask for my discharge as executor of said estate.

All persons holding claims against the said estate will present them duly attested.

J. D. Glas,  
Executor.

Newberry, S. C., July 22, 1920.

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## SPECIAL ELECTION IN CROSS ROADS SCHOOL DISTRICT NO. 7

State of South Carolina,  
County of Newberry.

Whereas, one-third of the resident freeholders and a like proportion of the resident electors of the age of 21 years in the Cross Roads school district No. 7, the county of Newberry, state of South Carolina, have filed a petition with the county board of education of Newberry county, South Carolina, petitioning and requesting that an election be held in said school district on the question of levying a special tax of eight (8) mills on the taxable property within the school district.

Now, therefore, we the undersigned composing the county board of education for Newberry county, state of South Carolina, do hereby order the board of trustees of the Cross Roads school district No. 7 to hold an election on the said question of levying a special tax of eight (8) mills to be collected on the property located within the said school district, which said election shall be held at the Cross Roads school house, in the said school district No. 7, on Saturday, the 7th day of August, 1920, at which said election the polls shall be opened at 7 a. m. and closed at 4 p. m.

The members of the board of trustees of said school district shall act as managers of said election. Only such electors as reside in said school district and return real or personal property for taxation, and who exhibit their tax receipts and registration certificates as required in general elections, shall be allowed to vote. Electors favoring the levy of such tax shall cast a ballot containing the word "Yes" written or printed thereon, and each elector opposed to such levy shall cast a ballot containing the word "No" written or printed thereon.

Given under our hands and seals this the 22nd day of July, 1920.

C. M. Wilson,  
O. B. Cannon,  
J. B. Harman,  
County Board of Education.

## SPECIAL ELECTION IN ZION SCHOOL DISTRICT NO. 56.

State of South Carolina,  
County of Newberry.

Whereas, one-third of the resident freeholders and a like proportion of the resident electors of the age of 21 years in the Zion school district No. 56, the county of Newberry, state of South Carolina, have filed a petition with the county board of education of Newberry county, South Carolina, petitioning and requesting that an election be held in said school district on the question of levying a special tax of four (4) mills on the taxable property within the school district.

Now, therefore, we the undersigned composing the county board of education for Newberry county, state of South Carolina, do hereby order the board of trustees of the Zion school district No. 56, to hold an election on the said question of levying a special tax of four (4) mills to be collected on the property located within the said school district, which said election shall be held at the Zion school house, in the said school district No. 56, on Saturday, the 7th day of August, 1920, at which said election the polls shall be opened at 7 a. m. and closed at 4 p. m.

The members of the board of trustees of said school district shall act as managers of said election. Only such electors as reside in said school district and return real or personal property for taxation, and who exhibit their tax receipts and registration certificates as required in general elections, shall be allowed to vote. Electors favoring the levy of such tax shall cast a ballot containing the word "Yes" written or printed thereon, and each elector opposed to such levy shall cast a ballot containing the word "No" written or printed thereon.

Given under our hands and seals this the 22nd day of July, 1920.

C. M. Wilson,  
O. B. Cannon,  
J. B. Harman,  
County Board of Education.

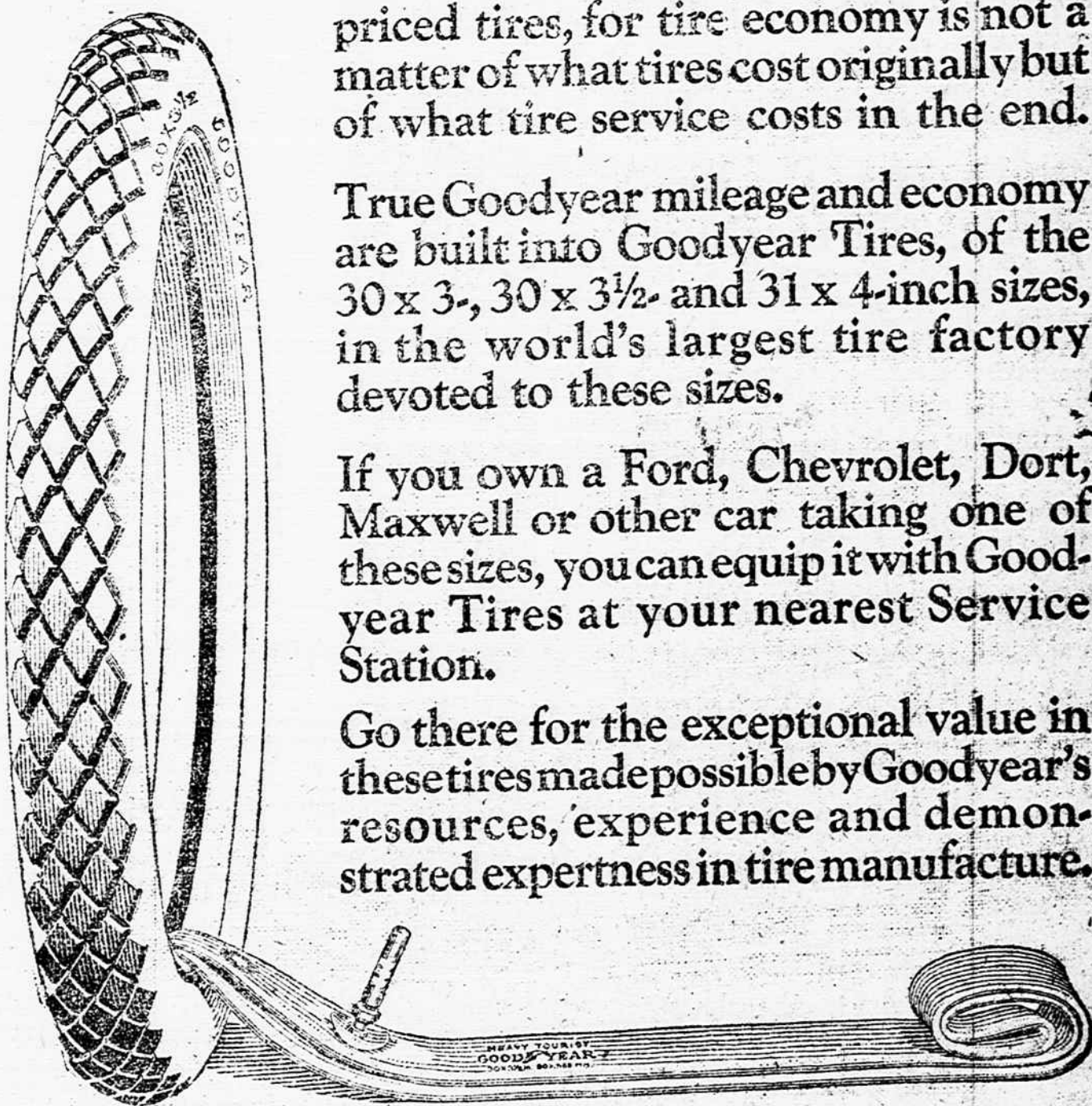
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